

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JO ANN SHESTINA

Plaintiff

-vs-

HARTFORD LIFE AND ACCIDENT
INSURANCE COMPANY

Defendant :

: CASE NO. 1:04 CV 1184

:
: ORDER ADOPTING THE REPORT AND
: RECOMMENDATION OF THE
: MAGISTRATE JUDGE, GRANTING
: DEFENDANT'S MOTION FOR
: JUDGMENT, AND DENYING
: PLAINTIFF'S MOTION FOR JUDGMENT

UNITED STATES DISTRICT JUDGE LESLEY WELLS

Plaintiff Jo Ann Shestina filed a complaint against defendant Hartford Life and Accident Insurance Company ("Hartford") alleging that Hartford had wrongfully terminated her long-term disability benefits in violation of the Employee Retirement Income Security Act of 1974 ("ERISA"). This case was referred to United States Magistrate Judge Kenneth S. McHargh to set a case management plan, to supervise all preliminary matters, and to issue a Report and Recommendation ("R&R"), pursuant to Local Civil Rule 72.2(b), on any motions for judgment. Both parties moved for judgment on the administrative record on 28 January 2005. On 17 May 2005, Magistrate Judge McHargh issued his R&R, concluding that Hartford's decision to terminate Ms. Shestina's benefits was not arbitrary or capricious and recommending therefore that Hartford's motion for judgment be granted and Ms. Shestina's motion be denied.

No party has objected to the Magistrate Judge's R&R. Therefore, it must be

assumed that the parties are satisfied with it. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 474 U.S. 140 (1985); Howard v. Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir. 1981).

Accordingly, the Magistrate Judge's R&R is adopted. Hartford's motion for judgment (Docket #16) is granted, and Ms. Shestina's motion for judgment (Docket #19) is denied.

IT IS SO ORDERED.

/s/ Lesley Wells
UNITED STATES DISTRICT JUDGE